

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

**JOSE JIMENEZ,
Defendant**

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7:14-cr-00173-RAJ

UNOPPOSED MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Jose Jimenez, aka Jesus Jimenez, by and through Charles W. King, the undersigned attorney, announces "Not Ready" for Docket Call on September 3, 2014, and files this Unopposed Motion for Continuance of Docket Call and Plea Deadline, and for same shows the Court the following:

I.

This Cause is set for Docket call on 09/03/2014, 10:00 a.m. before the Honorable David Counts, and there is a Plea Agreement due date of 09/18/2014. The undersigned counsel definitely needs more time to investigate the facts of this case before Docket call. Counsel for Defendant just received the Discovery in the case and it consists of a Police Report. The Discovery File is so scant that it gives Counsel for Defendant pause. Counsel has copies of the charging instruments, consisting of the Complaint and Indictment and a few notices of electronic filings from PACER but other than that, Counsel does not have much else. Counsel for Defendant needs to consult with his client again and further investigate the facts of the case

before he will be in a position to make recommendations to his client. Counsel for Defendant's Announcement is "Not Ready"; however, in the alternative, Counsel is willing to drive over to Midland, Texas on September 3, 2014, meet with the AUSA, make further inquiry, and continue working to get ready for the other upcoming deadlines in the case.

II.

This Motion is not made for the purpose of delay only but so that justice may be achieved.

WHEREFORE, PREMISES CONSIDERED, Defendant respectfully prays that this Honorable Court continue the Docket Call and the due date for the Plea Agreement to a future date convenient to the Court. In the alternative, the undersigned counsel is willing to come over for Docket Call on September 3, 2014 even though his is not ready as of the time this Motion is filed. The defense stands willing and able to work toward a solution so that he can meet the other deadlines in the case.

Respectfully submitted,

CHARLES W. KING

By /s/Charles W. King
Charles W. King
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CERTIFICATE OF CONFERENCE

I, Charles W. King, on September 2, 2014, certify that I conferred with Laurretta Sorianello, Legal Administrative Specialist for the Assistant U. S. Attorney Brandi Young, of the

United States Attorney's Office, Western District of Texas, Midland Division, and there is no opposition.

/s/Charles W. King
Charles W. King

CERTIFICATE OF SERVICE

I, Charles W. King, the undersigned attorney, certify that on the 2nd day of September 2014, a copy of the foregoing was filed through the Electronic Case Filing ("ECF") System. Pursuant to Rule 9 of the Miscellaneous Order No. 61, this constitutes service of this document to the Office of the United States Attorney, Western District of Texas, Midland Division, 400 West Illinois Avenue, Suite 1200, Midland, Texas 79701. The U. S. Attorney is an ECF User.

/s/Charles W. King
Charles W. King

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ORDER ON UNOPPOSED MOTION FOR CONTINUANCE

ON THIS DAY came on to be heard Defendant's Unopposed Motion for Continuance of the Docket Call set for 09/03/2014, 10:00 a.m. and the Plea Due date of 09/18/2014; and the Court having considered same is of the opinion that same should be:

GRANTED/DENIED.

IT IS THEREFORE ORDERED that this case is continued from its present setting of Docket Call September 3, 2014, 10:00 a.m. to _____, 2014, _____ o'clock, _____.m.

IT IS FURTHER ORDERED that the Plea Agreement due date is continued from its present setting of 09/18/2014 to _____, 2014.

Judge Presiding